

REMARKSElection/Restriction

Claims 1 through 35 are pending in this case. The examiner requires restriction under 35 USC 121. The examiner has divided claims 1 through 36 into three Groups and has requested restriction according to 35 U.S.C. 121.

In accordance with the examiner's request, the applicant elects Group I (claims 1-22) for examination at this time. This restriction is made with traverse. Applicant argues that practice of the method of group II (claims 23-27) or method of group III (claims 28-35) would necessarily require use of the vector(s) claimed in claims belonging to group I. Therefore examination of groups II and III with group I is respectfully requested. In the alternative, examination of group II with group I is respectfully requested. In the alternative, examination group III with group I is respectfully requested.

The Examiner has further requested restriction according to 35 U.S.C. 121 within group I to designate 1 of 75 viruses as a limit of the claims. The Applicant restricts the claims to virus (1) ZYMV for purposes of examination.

Please cancel claims 16, 17 and 18 without prejudice. Please cancel claims 16, 17 and 18 without prejudice. The Examiner has further requested restriction according to 35 U.S.C. 121 to one of five inventions (A-E) delimited by polynucleotide sequences. Cancellation of claims 16, 17 and 18 renders this request for further restriction moot.

Respectfully submitted,


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